

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RONALD BRITT,

Plaintiff,

13 Civ. 4941 (KPF)

-against-

THERMALD REALTY I, LP., d/b/a
THERMALD REALTY ASSOCIATES I,
LP. and THERMALD REALTY CORP.,
THE WAVECREST MANAGEMENT TEAM,
LTD. d/b/a WAVECREST MANAGEMENT
GROUP, LLC and WAVECREST EQUITIES,
LLC, and DOREEN ALDERMAN,

Defendants.

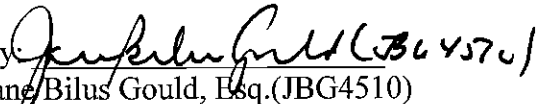
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**NOTICE
OF PARTIAL MOTION TO
DISMISS OR
IN THE ALTERNATIVE FOR
PARTIAL MOTION FOR
SUMMARY JUDGMENT**

PLEASE TAKE NOTICE, that upon the Affidavit of Jane Bilus Gould sworn October 23, 2013, and upon the Affidavit of Doreen Alderman, sworn October 22, 2013 and the exhibits annexed thereto, the Defendant ThermalD Realty Associates I, LP will move this Court, located at 40 Foley Square, New York, New York before the Honorable Katherine Polk Failla at a date to be determined by the Court for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing the First Claim in the Complaint (the "Title VII" claim) or in the alternative, pursuant to Rule 56 of the Federal Rules of Civil Procedure for Summary Judgment on the First Claim in the Complaint, together with such other further and different relief as to the Court seems just and proper.

Dated: White Plains, New York
October 23, 2013

GOULD & BERG, LLP

By: 
Jane Bilus Gould, Esq. (JBG4510)
Attorneys for Defendant
Thermal Realty Associates I, LP
222 Bloomingdale Road
White Plains, New York 10605
(914) 397-1050

To: Gregory Koerner, Esq.
Attorney for Plaintiff
Koerner Law Firm
111 John Street, Suite 230
New York, NY 10038

Jeffrey S. Ettenger, Esq.
Attorney for Wavecrest Management
Kaufman, Dolowich & Voluck, LLP
135 Crossways Park Drive, Suite 201
Woodbury, NY 11797